

AN ORDINANCE **98104**

AUTHORIZING A TEN (10) YEAR TERM LICENSE AGREEMENT WITH GLEN ROCK HOLDING CORP., A SUBSIDIARY OF PRIME HOSPITALITY CORP., TO USE PUBLIC RIGHT OF WAY ADJACENT TO THE SAN ANTONIO RIVER FOR AN EXISTING DISABLED ACCESS RAMP LOCATED ALONG THE RIVERWALK BEHIND THE AMERISUITES HOTEL AT 601 S. ST. MARY'S STREET FOR THE TOTAL LICENSE FEE OF \$5,000.00.

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WHEREAS, the City approved a 25-year License Agreement with Sholodge, Inc. pursuant to Ordinance No. 82257 on May 25, 1995 for the use of Public Right-of-Way adjacent to the San Antonio River, behind 601 South St. Mary's Street in connection with the new All-Suites Hotel; and

WHEREAS, Glen Rock Holding Corp., a subsidiary of Prime Hospitality Corp., acquired its interest in the hotel from Sholodge, Inc. and the rights granted by the previous license are not assignable; and

WHEREAS, it is necessary for the City to terminate the existing License Agreement and authorize execution of a new ten-year License Agreement with Glen Rock Holding Corp., a subsidiary of Prime Hospitality Corp. for the continued use of Public Right of Way adjacent to the San Antonio River for an existing disabled access ramp located along the Riverwalk behind the AmeriSuites Hotel at 601 S. St. Mary's Street for the total License Fee of \$5,000.00; and

WHEREAS, this action is consistent with the City of San Antonio Code and Ordinances which require City Council approval for any private use of property owned or controlled by the City; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The License Agreement with Sholodge, Inc. approved by Ordinance No. 82257 on May 25, 1995 for the use of Public Right-of-Way adjacent to the San Antonio River, behind 601 South St. Mary's Street in connection with the new All-Suites Hotel is hereby terminated.

SECTION 2. A new ten-year License Agreement is hereby authorized with Glen Rock Holding Corp., a subsidiary of Prime Hospitality Corp, as Licensee, for the continued use of Public Right of Way adjacent to the San Antonio River for an existing disabled access ramp located along the Riverwalk behind the AmeriSuites Hotel at 601 S. St. Mary's Street for the total License Fee of \$5,000.00.

SECTION 3. The City Manager, or her designee, is hereby authorized to execute said License Agreement, a copy of which, executed on behalf of Glen Rock Holding Corp., a subsidiary of Prime Hospitality Corp., is affixed hereto as **Attachment I** and incorporated herein verbatim for all purposes.

SECTION 4. The proceeds of the agreement shall be deposited in Fund No. 11-0000 entitled "General Fund," Index Code 012732 entitled "License Agreement – Use of ROW."

SECTION 5. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Number as necessary to carry out the purpose of this Ordinance.

SECTION 6. This ordinance shall take effect on the 14th day of September 2003.

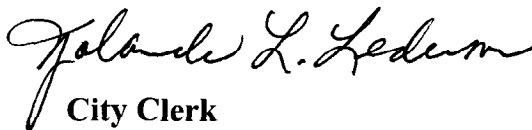
PASSED AND APPROVED this 4th day of September, 2003.



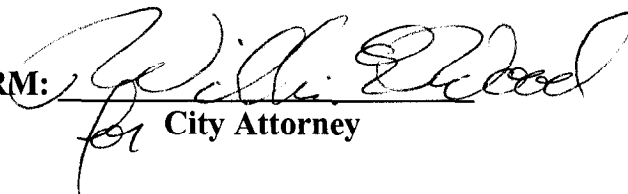
M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney